

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

CAREER COLLEGES  
& SCHOOLS OF TEXAS,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
EDUCATION; MIGUEL CARDONA,  
in his official capacity as the Secretary  
of Education,

Defendants.

CASE NO.: 4:23-cv-00206-P

**PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff CAREER COLLEGES & SCHOOLS OF TEXAS (“CCST”) respectfully moves the Court for a preliminary injunction enjoining the United States Department of Education (the “Department”) and Secretary of Education Miguel Cardona (together, the “Defendants”) from enforcing, applying, or implementing the November 1, 2022 final rule regarding the Department’s administration of student loans under the William D. Ford Federal Direct Loan (“Direct Loan”), the Federal Perkins Loan (“Perkins”), and the Federal Family Education Loan (“FFEL”) programs, *see* 87 Fed. Reg. 65,904 (Nov. 1, 2022) (the “Rule”), anywhere within the Department’s jurisdiction.

As set forth in the accompanying memorandum of law in support, CCST is likely to prevail on the merits; CCST and its member schools will suffer irreparable harm absent the requested injunctive relief; and the balance of equities and public interest considerations favor an order of preliminary injunction.

Further, expedited relief is necessary because the Rule is set to take effect on July 1, 2023.  
*See* 87 Fed. Reg. 65,904.

WHEREFORE, for the reasons set forth in the accompanying brief, CCST respectfully requests that the Court issue a preliminary injunction enjoining the Defendants from enforcing, applying, or implementing the Rule anywhere within the Department's jurisdiction.

Dated: April 5, 2023

Respectfully submitted,

/s/ Allyson B. Baker  
Allyson B. Baker (*pro hac vice*)  
Meredith L. Boylan (*pro hac vice*)  
Stephen B. Kinnaird (*pro hac vice*)  
Michael Murray (*pro hac vice*)  
Sameer P. Sheikh (*pro hac vice*)  
PAUL HASTINGS LLP  
2050 M Street NW  
Washington, DC 20037  
allysonbaker@paulhastings.com  
(202)-551-1830

/s/ Philip Vickers  
Philip Vickers  
Texas Bar No. 24051699  
pvickers@canteyhanger.com  
Katherine Hancock  
Texas Bar No. 24106048  
khancock@canteyhanger.com  
CANTEY HANGER LLP  
600 West 6th Street, Suite 300  
Fort Worth, TX 76102  
(817) 877-2800  
(817) 877-2807 – Fax

*Attorneys for Plaintiff  
Career Colleges & Schools of Texas*

**CERTIFICATE OF CONFERENCE**

On April 3, 2023, I conferred by telephone with R. Charlie Merritt, counsel for the Defendants, regarding this Motion and the relief requested herein. Mr. Merritt stated that Defendants oppose this Motion and the relief Plaintiff seeks.

/s/ Michael Murray  
Michael Murray

**CERTIFICATE OF SERVICE**

I certify that on April 5, 2023, a true and correct copy of the foregoing document was served upon all counsel of record in this action via the Court's CM/ECF system.

/s/ Philip Vickers  
Philip Vickers